

THE DIRECTOR OF CENTRAL INTELLIGENCE

OLC RECORD COPY

WASHINGTON, D. C. 20505

Office of Legislative Counsel

7 JUN 1977

Mr. James M. Frey  
Assistant Director for  
Legislative Reference  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Frey:

Enclosed is a proposed report to Chairman Price, House Committee on Armed Services, in response to a request for our recommendations on H.R. 6234, a bill "To amend the National Security Act of 1947, as amended, and for other purposes."

Advice is requested as to whether there is any objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

SIGNED

George L. Cary  
Legislative Counsel

Enclosure

Distribution:

Orig - Addressee, w/encl  
✓ - OLC Subject, w/encl  
1 - OLC Chrono, w/o encl  
1 - OLC OMB Liaison, w/encl  
OLC:SM (6 Jun 77)

DOJ Review Completed

Washington, D.C. 20505

Honorable Melvin Price, Chairman  
Committee on Armed Services  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

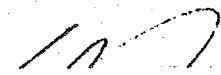
This is in response to your letter of 14 April 1977 requesting the views and recommendations of this Agency on H.R. 6234, a bill to amend the National Security Act of 1947, as amended, to provide criminal penalties for the unauthorized disclosure of intelligence sources and methods.

As I indicated during my confirmation hearings before the Senate Select Committee on Intelligence on 22 February 1977, and on occasions since then, action must be taken to protect against the unauthorized disclosure of information related to intelligence sources and methods. It is essential to avoid continued serious damage to the Government's foreign intelligence program. However, the sure and certain penalties, such as those embodied in this legislation would be, in my view, only one alternative method to protect the Government against those individuals who would breach their relationship of trust with the Government by disclosing sensitive information related to intelligence sources and methods. Other solutions might include:

- Reducing the total amount of classified material we have. In many ways, the proliferation of material has caused personnel to take high levels of classification for granted and become careless in the procedures.
- Restricting to a bare minimum access to the highest levels of sensitive information.
- Developing a range of administrative and/or civil sanctions to apply in cases of unauthorized disclosure.

All of these options relating to protection of intelligence sources and methods, including possible legislation, are presently under consideration in the Executive branch by a group under the direction of the Attorney General. Concurrently, the Senate Select Committee on Intelligence is studying legislation on this subject. I will welcome the opportunity to meet with you at the appropriate time in this process after recommendations have been developed. Until that time, however, although I fully support the objective reflected in this legislation, I would defer stating this Agency's position on H.R. 6234.

The Office of Management and Budget has advised there is no objection to the submission of this report from the standpoint of the Administration's program.

Yours sincerely, 

STANSFIELD TURNER

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**EXECUTIVE SECRETARIAT****Routing Slip**

OKC

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	D/DCI/IC		X		
4	DDS&T				
5	DDI				
6	DDA				
7	DDO				
8	D/DCI/NI				
9	GC	X			
10	LC		X		
11	IG		X		
12	Compt		X		
13	D/Pers				
14	D/S				
15	DTR				
16	Asst/DCI				
17	AO/DCI				
18	C/IPS				
19	DCI/SS				
20	D/EE0				
21					
22					

SUSPENSE

Date

**Remarks:**

The Attorney General is responding to Mr. Knoche's letter of 25 February when he was Acting Director.

STAT

D/ Executive Secretary

19 May 77

Date

3637 (7-76)

77-6415/2



Office of the Attorney General  
Washington, D. C. 20530

OLC #77-2032

May 9, 1977

Honorable E. H. Knoche  
Deputy Director of Central Intelligence  
Central Intelligence Agency  
Washington, D. C.

Dear Mr. Knoche:

I appreciate the concern you expressed in your letter to me about the problem of unauthorized disclosure of classified information.

You urged me to consider legislation along the pattern of H. R. 12006. I am interested in this and similar proposals, but I will refrain from drawing a conclusion on this subject until the PRM-11 working group of the SCC has had a chance to complete its study. This group operates under the chairmanship of the Office of Legal Counsel of the Department of Justice and includes the General Counsel of the CIA. I look forward with great interest to reviewing their proposals on the troublesome problem which you raise.

After I have had a chance to review the proposals of the working group I will be eager to discuss the problem with you and Admiral Turner.

Yours sincerely,

Griffin B. Bell  
Attorney General

## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM: Legislative Counsel  
6C19 HQ

EXTENSION

NO.

STAT

DATE

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

RECEIVED

FORWARDED

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17-7250/A

Attached for your signature is a letter to Representative Price on H.R. 6234, a bill that would establish criminal penalties for the unauthorized disclosure of intelligence sources and methods. This bill is identical to one supported by the Ford Administration and the DCI last year.

In light of the still uncertain position of the Administration, and since the NSC/PRM-11 Subcommittee is currently studying protection of sources and methods, the attached letter supports the need for STAT legislation but defers stating our specific views. The letter has been coordinated with [redacted]

[redacted], the Inspector General, OGC, DDA, DDO, DDI, DDS&T.

STAT

George L. Cary  
Legislative Counsel

FORM 3-62

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